

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
Eastern Division**

GROVER GAMING, INC., and	)	
	)	
BANILLA GAMES, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No.
	)	
ANIL PATEL d/b/a EZ QUICK MART,	)	
	)	
Defendant.	)	

**DECLARATION OF MARC DOWNING**

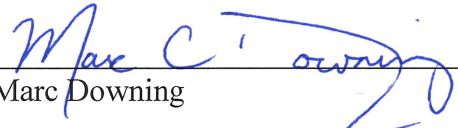
Marc Downing deposes and says:

1. I am over 18 years of age and I am fully able to make the statements set forth in this Declaration.
2. The statements contained in this Declaration are made of my own volition and are true of my own personal knowledge.
3. I am Chief Counsel and Director of Compliance of Grover Gaming, Inc. (“Grover”).
4. My responsibilities with Grover include overseeing aspects of the gaming software of Grover.
5. In connection with my position at Grover, I am aware that certain information (“Confidential Identifying Information”) is placed into a game’s software that causes such Confidential Identifying Information to be briefly displayed during the play of that game.

6. This Confidential Identifying Information provides verification that the particular game that displays such Confidential Identifying Information is an authorized game unit of Grover.
7. Grover maintains this Confidential Identifying Information, as well as its particular placement in the game play display, secret so that infringers do not copy such Confidential Identifying Information to include in pirated games.
8. I have reviewed the photos and videos of the Fusion 4 game unit at the EZ Quick Mart store taken by Harry Yiatras as explained in his declaration.
9. In my review of such photos and videos, I noted that the Confidential Identifying Information was absent from the Fusion 4 game unit at the EZ Quick Mart.
10. Because of the absence of the Confidential Identifying Information from the Fusion 4 game unit at the EZ Quick Mart, I am able to determine that it is not an authorized Fusion 4 game unit of Grover's.

I hereby declare, under penalty of perjury, that the foregoing is true and correct.

This is the 13<sup>th</sup> day of December, 2021.

  
\_\_\_\_\_  
Marc Downing